IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 2158 of 2003

Between:

Youth Cultural Club, Bhimavaram rep. by its Secretary

P.Suryanarayana Raju, China Amiram, Bhimavaram,
W.G.Dist.,

..... PETITIONER

AND

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1 Sub-Inspector of Police-cum-staion House Officer
Bhimavaram II Town PS.
2 Superintendent of Police, W.G.Dist., Eluru.
3 Dy.Superintendent of Police-cum--sub-Divisional Police Officer,
Narasapur, W.G.Dist.,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, Order or Direction particularly one in the nature of a Writ of Mandamus declaring the proceedings dt.7.1.2003 issued by R1 at the instance of R2 and R3 as illegal, arbitrary and violative of Art.14and Art. 19 (1) (c) of the Constitution of India and consequently permit the petitioner to run the petitioner club.

Counsel for the Petitioner: MR.M.KRISHNA MOHAN RAO

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORDER:

The first respondent issued a public notice directing the Secretary of the petitioner-club to close illegal activities. Alleging that the respondents have no such power to direct the petitioner-club to close down its activities, the present writ petition is filed.

In the counter affidavit filed by the third respondent while conceding that the petitioner is entitled to conduct lawful activities, it is stated that subsequently the impugned notice was withdrawn. Be that as it is, a Division Bench of this court in ***Twin Cities Cinema Cultural Centre v. Commissioner of Police***, dealt with the question whether the police can interfere with the activities of the petitioner-club. While confirming the judgment of the learned Single Judge, Division Bench made the following observations.

> Therefore, the police authorities cannot obstruct the writ petitioner-Club from conducting card room where the members and guests of the writ petitioner's cultural center are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police is always at liberty to enter the premises and check as to whether the cultural center of the Club is conducting card room where the members and guests of petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game) for the purpose of verification. If they receive any intimation, the Police may enter the Club and verify the same and proceed further if the members and guests of writ petitioner's cultural center play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered.

Following the same, the present Writ Petition is also disposed of in the above terms.

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V.V.S. RAO, J.

8th July, 2005

Js

To

1 The Sub-Inspector of Police-cum-staion House Officer, Bhimavaram II

Town Police Station.
2 The Superintendent of Police, W.G.Dist., Eluru.
3 The Dy. Superintendent of Police-cum--sub-Divisional Police Officer, Narasapur, W.G.Dist.,

4 Two CCs to G.P. for Home, High Court Buildings, Hyderabad.

5 2 CD copies.